

UNITED STATES DISTRICT COURT
DISTRICT OF MONTANA
GREAT FALLS DIVISION

UNITED STATES OF
AMERICA,

Plaintiff,

vs.

ISAIAH STARR
STANDINGROCK,

Defendant.

Case No. CR-18-63-GF-BMM-JTJ

FINDINGS RECOMMENDATION
CONCERNING PLEA

The Defendant, by consent, has appeared before me under Fed. R. Crim. P. 11 and has entered a plea of guilty to one count of Conspiracy to Distribute and Possess with Intent to Distribute Oxycodone in violation of 18 U.S.C. §846, as set forth in Count I of the Indictment. Defendant further agrees to the forfeiture of property as described in the forfeiture count of the indictment. In exchange for Defendant's plea, the United States has agreed to dismiss counts II, III, and IV of the Indictment previously filed in this matter.

After examining the Defendant under oath, I have made the following determinations:

1. That the Defendant is fully competent and capable of entering an informed and voluntary plea to Count I of the Indictment and an informed and voluntary admission to the allegation of forfeiture;
2. That the Defendant is aware of the nature of the charge against him and the consequences of pleading guilty to the charge;
3. That the Defendant understands the allegation of forfeiture and the consequences of admitting to the allegation;
4. That the Defendant fully understands his constitutional rights, and the extent to which he is waiving those rights by pleading guilty to Count I charged against him in the Indictment and admitting to the allegation of forfeiture;
5. That both his plea of guilty to Count I in the Indictment and his admission to the allegation of forfeiture are knowingly and voluntarily entered, and are both supported by independent factual grounds sufficient to prove each of the essential elements of Count I in the Indictment charged and the legal basis for the forfeiture.

The Court further concludes that the Defendant had adequate time to review the Plea Agreement with counsel, that he fully understands each and every provision of the agreement and that all of the statements in the Plea Agreement are true. Therefore, I recommend that the Defendant be adjudged guilty of Count I of the Indictment, and that sentence be imposed. I further recommend the agreed

forfeiture be imposed against Defendant. Finally, I recommend that Counts II, III and IV of the Indictment be dismissed.

This report is forwarded with the recommendation that the Court defer a decision regarding acceptance until the Court has reviewed the Plea Agreement and the presentence report.

DATED this 16th day of January, 2019.

A handwritten signature in black ink, consisting of a large loop followed by a smaller loop and a horizontal stroke.

John Johnston
United States Magistrate Judge